



Agenda Item Number: 2005-6-8B

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: June 28, 2005

Department: Commissioner Michael Brasher **Staff Contact:** Robert Doucett, Commission Asst.,
District 5

TITLE: Policy Statement on Eminent Domain

ACTION: Motion to approve Administrative Resolution **AR -2005** opposing expansion of Eminent Domain powers as set out in the Supreme Court Case, Kelo, et al. v. City of New London (Connecticut), No. 04-108

SUMMARY:

The United States Supreme Court ruled on June 23, 2005, that state and local governments can condemn property for private purposes when a state or local government receives additional revenues. The United States Supreme Court also stated that the individual states could enact protections as they see fit. The County of Bernalillo has traditionally only used eminent domain for true public purposes such as roads, public buildings, public parks, bridges, electric lines, and so forth. This resolution opposes any legislative or other expansion of eminent domain power that would allow the condemnation of property for private purposes when the governmental entity generates government revenues.

ATTACHMENT:

1. Administrative Resolution **AR -2005**

FISCAL IMPACT

None.

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

See Summary.

LEGAL

Administrative Resolution approved as to form. TDC 6/24/05